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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

James N. Vinci

Serial No. 09/432,539

Filed: November 3, 1999

Group Art Unit: 1714

Examiner: C. Toomer

For: LUBRICANTS HAVING OVERBASED METAL SALTS AND ORGANIC  
PHOSPHITES

**AMENDMENT**

Commissioner for Patents  
United States Patent and Trademark Office  
Washington, D.C. 20231

Sir:

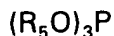
This amendment is in response to the final rejection mailed April 25, 2001. This amendment is being filed with a Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.37(b), Continued Prosecution Application (CPA) Transmittal, and an Information Disclosure Statement. A Notice of Appeal together with a three month extension of time was filed on October 25, 2001. Entry of the following amendment is respectfully requested.

**In the Claims:**

Kindly cancel claims 4, 5, 7 and 13, without prejudice.

Kindly amend claims 1, 10 and 17 as follows:

B' 1. (Twice Amended) A lubricating composition comprising a major amount of an oil of lubricating viscosity and (A) a basic metal salt of a carboxylic acylating agent and (B) a hydrocarbyl phosphite represented by the formula



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